

REMARKS

This is in full and timely response to the above-identified Office Action. The above listing of the claims replaces all prior versions, and listings, of claims in the application. Reexamination and reconsideration in light of the proposed amendments and the following remarks are respectfully requested.

Specification

The objection to the Abstract (undue length, multiple paragraphs) is overcome the amendments set forth above. Favorable reconsideration is respectfully requested.

Rejections under 35 USC § 102

The rejection of claims 1-3, 5-7, 9-17, 19-20 and 23-24 under 35 USC § 102(b) as being anticipated by Fox is respectfully traversed. It is submitted that the disclosure of Fox has been misinterpreted.

The rejection states in paragraph #6 on page 2 of the Office Action, that element 34 of Fig. 2 is a memory tag dispenser. This position is then qualified on page 3 by the indication that the tag dispenser is in fact a supply roller 34 which, for the sake of rejection, is being taken as a tag dispenser in that it "rolls" relative to the base medium.

However, in paragraph #8 the tag dispenser is then alleged to also be movable "in and out of the page (the z-axis) when looking at Fig. 2.

This particular movement is neither disclosed nor suggested in Fox. There is no disclosure or illustration which even vaguely hints at this movement, nor any structure which may permit such movement. As a result the rejection of the claims, as amended in this response, fails to establish a *prima facie* case of anticipation.

Rejections under 35 USC § 103

The rejection of claims 8 and 21 under 103(a) as being unpatentable over Fox in view of Austin et al., is respectfully traversed. Fox does not disclose the claimed invention as set forth in independent claims 1 and 15 for at least the reasons noted above. Therefore, dependent claims 8 and 21 define patentable matter for at least the reason that they respectively depend from claims 1 and 15 which set forth structure/method which is free of anticipation by the disclosure of Fox.

Allowable Subject Matter

The indication that claim 4 contains allowable subject matter is noted with appreciation. However, it is deemed unnecessary to rewrite this claim into independent form in light of the clarifying amendments made to claim 1.

Conclusion

It is submitted that the claims as they currently stand before the Patent Office are patentable for at least the reasons advanced above. Favorable reconsideration and allowance of this Application is therefore courteously solicited.

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